

1882-012 Chancery Causes. William Deboard vs. Delila Deboard
Lee Co.

Baker, Hart, Jones, Plummer

CA-Divorce

T-Vices

To the Hon John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

Your Orator William Deboard a citizen of the
county and State aforesaid humbly complaining respec-
tfully sheweth unto your Honor, that in the County
of Nash in the State of North Carolina in the year
1862 he intermarried with one Delila Baker widow
of Ira Baker dead, by which marriage the said
Delila Baker became Delila Deboard and the lawful
wife of your orator.

Your Orator further states that soon after his said marri-
age he with his said wife, left the state in which they
were married, and moved into the state of Virginia, where
they have continued to reside ever since, and for the
last 3 years have resided and lived in the County
of Lee, and your orator is still a citizen thereof.

Your orator states that many years of his married
life with the said Delila, time sped by as rapid as
is usual, while happiness & contentment reigned super-
eme in the family circle. And during these fleeting
years of felicity and social enjoyment, the said Delila
bore your orator six children, the legitimate fruit of such
love and affection as then subsisted between your orator
and his said wife. But in an evil hour, and ^{at} the time
of life when your Orator least expected it, the tempter
came, entered the family circle, whispered in ear of
the said Delila words of deception and flattery, tinged
and gilded with lecherous insinuation and insinuation,
and by these and other means known only to the seducer

and practised debauchery, corrupted the mind and morals of the said Delila, & alienated her affections from your Orator. and from thence forward the said Delila ceased to love and respect your Orator as she had theretofore done, she became cross, morose and ill, neglected her children and Maternal duties, and finally became guilty of the crime of adultery by having carnal Sexual intercourse and cohabitation with others than your Orator, in direct violation of her Marriage vows

Your Orator further states that as soon as he became cognizant of his said wife's infidelity, he ceased to treat her as his wife, and has not since cohabited with her

Your Orator further states that five years have not yet elapsed since the adulterous acts of his said wife were committed, nor were such her acts committed by the procurement or connivance of your Orator, but on the contrary were committed by her of her own free will & accord and against the earnest wish and protest of your Orator

Your Orator is advised that under the law of the land and the facts of his case as already stated, he is entitled at the hands of a court of equity, to have the bond of matrimony now existing between him and the said Delila Deboard totally dissolved and your Orator released therefrom

But if your Orator should be unable to prove the facts of adultery as herein alleged and thereby entitle himself to a divorce Avinculo Matrimonii, still he will be entitled to a divorce a mensa et thoro. for Your Orator here alleges and he will make that allegation good by proof, that the

said Delila Deboard in the month of August 1879. abandoned
and deserted the house and home of your orator and
went back to the state of North Carolina where she still
remains as your orator is informed and believes, so that
by her wilful desertion and abandonment of your orator
she has forfeited all claim she may have once had to
call your orator her husband & to look to him for a subsistence.

Your orator feels himself greatly aggrieved and without
an adequate remedy at law and ^{only} in a court of
equity and to that forum he now resorts by praying your
Honor to take cognizance of his case, and to make the
said Delila Deboard the defendant to this bill and require
her to answer the same truly upon oath, that an order of
publication be entered posted and published against her
and that upon a hearing of the cause a decree be entered
granting your orator a divorce a vinculo matrimonii, and in the
event of a failure to establish the crime of adultery, then
that a divorce from bed & board be decreed your orator and
he further prays for all general relief, may command the
writ of Spm issue directed &c.

Ayers & Morgan for Cliff

William Deboard

vs. } Bill

Delila Deboard

1882, May 18, Bill Filed

" June, Cont'd ^{for} O. P.

" July - O. P. compl'd + O. N.

" Aug - O. N. Conf'd + set for
hearing by Plff -

1882 Aug Term Decree
final

Wm Deboard Peff
vs. } In by
Delila Deboard Deft }

This cause came on this day to be heard on the bill of the Peff and disposition of witnesses, and was argued by counsel. And it appearing from the facts in the cause, that the plaintiff is entitled to the relief prayed for. It is therefore adjudged ordered and decreed that the bond of Matrimony existing between the Peff and defendant be and the same is hereby dissolved and the plaintiff is allowed again to marry, and the defendant being the party in fault is not allowed to marry again. And the cause is ordered to be stricken from the docket.

Wm. Deboard

vs { Deere
Debita Deboard

Entered Page 265

J. A. G. Hyatt
Clerk

Entered this

J. A. K.
Sept 4/02

The depositions of William G. Hart
Mary E. Jones and Selina B. Deboard
taken at Jacob B. Olin's, on the
24. day of July 1882 which depositions are
intended to be read ^{on behalf of William Deboard} in a suit now
now pending in the Circuit Court of
Lee County, wherein ^{the wife} William Deboard
is Plaintiff and Delilah Deboard
is Defendant.

William G. Hart a witness of lawful
after being first duly sworn deposed
and said that he was acquainted with the
Defendant Delilah Deboard: Several
years ago while she lived with the Plff.
I was passing near where the Plff. lived
in company with a man by the name
of Low Trimsly and Trimsly asked
me to go to the house and tell the
Deft. to meet him in a certain dark
hollow and he would pay her that
flour that he owed her. ^{I went out to get her and} She said
she would go and meet him, that
she had washed for his wife the day
before. I saw her start in the direction
that he wanted her to go. The Plff.
was not at home at the time. Trimsly
told me afterwards that the Deft. met
him and that he got pay for the flour.
The conduct of both parties seemed to
be quite suspicious, and I thought there

was no good between the parties. I have
been acquainted with the Plff. for a good
many years, and I always considered him
a peaceable and quiet ^{and industrious} man and very
good and agreeable in his family, and
that is the name his neighbors all give
him both here and in North Carolina
where he moved from when he came here.
But the Deft. had a bad name both
here and in North Carolina. Her general
reputation was that of a disagreeable and
unchaste woman. And further
this witness saith not
Affm J. Hart

Mary C. Jones another witness of
lawful age after first being duly sworn
deposeth and saith that she is a
daughter of the Plff. William Deboard.
And about three years ago, the Deft.
left the house of her father the Plff.
without any cause as far as witness
knows. And she never returned home to
live any more, but she abandoned the Plff.
finally. And further this witness
saith not Mary C. Jones

Selina B. Deboard another witness of
lawful age after being duly sworn
deposeth and saith that she is a daughter
of the Plff. William Deboard. About
three years ago the Deft. Selina Deboard

left the house of the p[er]f. and never
returned to live with him any more.
About two weeks after she left she
came back after of her things, and
she took her things and left finally.
~~And further this witness said that~~
Selina B. Deboard

Lee County to wit: I do hereby
certify that the foregoing depositions
of William G. Hart, Mary C. Jones
and Selina B. Deboard were duly
taken ^{subscribed and sworn to} by me at the time and place
and for purpose ~~as~~
mentioned in the caption.

Given under my hand and seal
this July 24. 1882

Car Bailey Seal
Comm. in chancery for the Circuit
Court of Lee County

William Debaud P'tt
against
Delilah Debaud Deft.
Exposition of William
Debaud P'tt
Debaud Deft.

Rec'd. Sealed & filed
July 31st 1882.
J. A. G. Hyatt
Clerk

Mr Debonair was married to Delia Baker widow of
Joe Baker dead about the year 1862. with whom he lived
until about the 15th day of August 1879. when the said
Delia Debonair ^{resided the time and abandoned her estate and} left her home in Locust St. and went to
the State of ^{where she} California and is now living in ~~San Diego~~
and as your Office is informed and knows - that in
Buck Co. Cal. in year 1881. Maria Maria Plummer
and her children by said Delia - Smith of ~~San Diego~~

Wm Deboard
or } In by
Deborah Deboard

I do swear that Deborah Deboard my wife deceased
was in the month of Aug 1877 and the last time I heard
of her she was living in the state of North Carolina and
if she has remained from thence I do not know where she
resides so be safe we go. Wm Deboard

Sworn to before me the 23rd of March 1882

Henry J. Brown Clerk

Mr. Debraud

as Zaffel

Debraud Debraud

Virginia:-

In the Clerk's office of the Circuit Court of
Lee County May the 18th 1882.

Wm Deboard

Plff

vs

Delila Deboard

Deft

In Chancery

The object of this Bill, is to obtain a divorce from the bonds of matrimony now existing between the plaintiff and the defendant. And it appearing from an affidavit filed in this Cause that the defendant is a non resident of this State, it is ordered that she appear here within one month after due publication of this Order to do what is necessary to protect her interest in this suit.

A Copy Lest-

J. A. S. Hyatt Clerk

I hereby Certify that I posted a true Copy of the above Order of Publication at the front doors of the Court House at the June Term¹⁸⁸² of the County Court, and that I delivered a copy thereof to the Lee County Sentinel for Publication on the 19th May 1882, Given under my hand this June, 20th 1882

J. A. S. Hyatt
Clerk

Wm Deboard
vs Ord Publi
Delila Deboard

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

Delila Deboard

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

June next, being rule day to answer a bill in Chancery, exhibited in our said Court against

her by

William Deboard

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said Court at the Court-House
this *18th* day of *May* 1882; in the *106* year of the Commonwealth.

Copy Leste

J. A. G. Hyatt CLERK.

J. A. G. Hyatt Clerk

For
Celia Deboard

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

Delila Deboard

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

June

next, being rule day to answer a bill in Chancery, exhibited in our said Court against

her

by

Mm Deboard

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the court-house

this

18th

day of

May

1882

in the 106 year of the Commonwealth.

J. A. G. Hyatt CLERK.

Am

You Deboard
vs ³ Spain in Chey

Delila Deboard
To June Rules 1882

The party not found
in my Caluwick.

F. Miles D.S.
for J.S. Ely, S.L.C.

chd 41

VIRGINIA—In the Clerk's office of the Circuit Court of Lee County, May 18th, 1882.

William Deboard, Plaintiff, vs. Delila Deboard, Defendant.—In Chancery.

The object of this bill is to obtain a divorce from the bonds of matrimony now existing between the Plaintiff and the Defendant; and it appearing from an affidavit filed in this cause that the defendant is a non-resident of this State, It is ordered that she appear here within one month after due publication of this order to do what is necessary to protect her interest in this suit. A copy:—Teste:

m26-4

J. A. G. HYATT, Clerk,

OFFICE IN

CHEAPER THAN

We Are Prepared

SENTINEL

DEMOCRATIC—SUBSCRIPTION, ONE DOLLAR AND FIFTY CENTS A YEAR.

FRED. R. STICKLEY, EDITOR AND PROPRIETOR

Jonesville, Va., August 27, 1882.

I hereby certify that a change order of which the annexed is a copy was printed four successive weeks in the "Lee County Sentinel", a weekly newspaper published in the town of Jonesville the publication ending April 26th/82.

F. R. Stickley, Pubr.

Printers fee \$ 5.00

Wm Deboard
vs Pub. Certificate
Delila Deboard